

5 benefits from works of improvement as set forth in the watershed
 6 work plan to be installed will exceed costs thereof, and that funds
 7 needed for purposes of the subdistrict require levy of a special benefit
 8 assessment as provided in section four hundred sixty-seven A point
 9 twenty-three (467A.23) of the Code, in lieu of the special annual tax
 10 as provided in section four hundred sixty-seven A point twenty
 11 (467A.20) of the Code, shall record its decision to use said taxing
 12 authority and shall have authority, upon majority vote of said gov-
 13 erning body and with the approval of the state soil conservation com-
 14 mittee, to issue warrants or bonds payable in not more than forty (40)
 15 semi-annual installments in connection therewith, and to pledge and
 16 assign the proceeds of the special benefit assessment and other reve-
 17 nues of the subdistrict as security therefor. Such warrants and bonds
 18 of indebtedness shall be general obligations of the subdistrict, exempt
 19 from all taxes, state and local, and in no event shall such warrants and
 20 bonds constitute an indebtedness of the soil conservation district or
 21 the state of Iowa."

Approved February 27, 1963.

CHAPTER 283

SOIL CONSERVATION DISTRICT ASSESSMENTS

S. F. 61

AN ACT relating to installment payments of subdistrict of soil conservation district assessments.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred sixty-seven A point thirty-five
 2 (467A.35), Code 1962, is hereby amended by striking from subsection
 3 two (2), line two (2), the word "twenty" and inserting in lieu thereof
 4 the word "forty (40)".

Approved February 11, 1963.

CHAPTER 284

WATERSHED PROJECTS

S. F. 62

AN ACT relating to the expenditure of tax funds for use in watershed projects.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred sixty-seven B point nine (467B.9),
 2 Code 1962, is hereby amended by striking from lines four (4) and five
 3 (5) the words "as a maintenance fund for structures" and inserting in
 4 lieu thereof the words "to acquire land or rights or interests therein

5 by purchase or condemnation, and for repair, alteration, maintenance,
6 and operation of the present and future works of improvement”.

Approved March 25, 1963.

CHAPTER 285

ELECTRIC TRANSMISSION LINES

S. F. 254

AN ACT to amend chapter four hundred eighty-nine (489), Code 1962, relating to electric transmission lines to clarify the authority of the commerce commission to determine whether such lines serve the public use before authorization of franchise or eminent domain.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four hundred eighty-nine point five (489.5),
2 Code 1962, is amended by inserting the following new sentence after
3 the word and period “proper.” in line twenty-two (22): “Before grant-
4 ing such franchise, the board or commission shall make a finding that
5 the proposed line or lines are necessary to serve a public use.”.

1 SEC. 2. Section four hundred eighty-nine point fourteen (489.14),
2 Code 1962, is amended by adding after the first sentence of said section
3 the following sentence: “The burden of proving the necessity for
4 public use shall be on the person, company or corporation seeking the
5 right of eminent domain.”.

1 SEC. 3. Section four hundred eighty-nine point fourteen (489.14),
2 Code 1962, is amended by striking from lines five (5) and six (6) the
3 words “may be necessary and as prescribed and approved by the board
4 or commission”, and substituting in lieu thereof the following: “the
5 board or commission may approve, prescribe and find to be necessary
6 for public use”.

1 SEC. 4. The provisions of this Act shall not affect the rights of any
2 persons in any pending actions in any courts of this state.

Approved April 26, 1963.